

MINUTES

Monday, March 31, 2008

TOWN OF BELMONT BOARD OF SELECTMEN

SELECTMEN'S MEETING ROOM

TOWN HALL

7:00PM

CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:00 by Chairman Firenze in the Selectmen's Meeting Room at Town Hall. All Board members were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

QUESTIONS FROM TOWN RESIDENTS

There were no questions.

ACTION BY WRITING

Proclamation – Grace Ogilby – 1st American to Win International Competition

Ms. Ogilby and her family appeared before the Board as Chairman Firenze read the Proclamation regarding the First Place International Public Speaking award for Ms. Ogilby. The Board congratulated her and expressed their delight in her significant achievement.

The Board moved: To approve and sign the Proclamation.
The motion carried unanimously (3-0).

The Proclamation was signed by the Board members.

ACTION BY APPOINTMENT

Executive Session

The Board moved: To enter into Executive Session to discuss litigation and subsequently to return to Open Session.

The motion passed unanimously (3-0).

The Board entered Executive Session at 7:07 PM.

(During executive session, one substantive motion was made and passed unanimously.)

The Board returned to open session at 7:40 PM.

Beech Street Parking Spaces – Senior Center Building Committee and Planning Board Parking Plan

Beech Street Parking Spaces: Planning Director Jay Szklut and appeared before the Board to discuss the Board of Selectmen's commitment to insuring the construction of 10 parking spaces along Beech St. This commitment was made to the Senior Center Building Committee. Furthermore, those 10 spaces need to be in existence prior to the issuance of an Occupancy Certificate. The 10 spaces should not interfere with playground trees. The expense for the 10 spaces will come out of the Pavement Management budget. The Planning Board does not plan to have specific "Senior Center only" signage.

An audience member noted that a taller fence may need to be added to the baseball field in right field, as balls have been hit beyond it with some frequency. Netting to prevent balls from flying over it may be necessary also. The Board expressed its concern that it (a higher fence with netting) would be unsightly, but they desire to move forward with the parking spaces and would deal with that request as well.

The Board moved: To ask the Town Administrator to move forward with the construction of 10 parking spaces on Beech Street as previously agreed to.

The motion passed unanimously (3-0).

Planning Board Parking Plan: Mr. Szklut informed the Board that the other members of the Planning Board were not present at this meeting and he requested to postpone this discussion until a later date. The Board of Selectmen agreed that this issue requires a full discussion with the Planning Board and time to review all the available data. In the meantime, the Planning Board will continue enforcing its zoning bylaws.

Email Policies of the Board of Selectmen

Chair Firenze noted that he had recently attended an MMA policy committee meeting which reviewed open meeting laws. He explained that this past budget season, each Selectman received on the order of 125-150 emails regarding budget issues. Responding to these emails is not only extremely time-consuming, but also violates the open meeting law, as emails become part of the public record. Other communities have a published policy with regard to Selectmen and email responses. Chair Firenze read an example (from Reading) of a standard email reply.

The Board recommends trying this approach (of an automatic email reply) moving forward. Mr. Younger will draft a copy of an email response and the Board will vote on it at a later date.

Group Insurance Commission (GIC) Discussion – Cook & Co.

The Insurance Advisory Committee (IAC) met recently and reviewed the proposed health insurance rate increase (3.5%). Chair Firenze reported that the IAC was delighted with the proposed rate increase. Also, the GIC option was discussed and the IAC was unanimous in their opposition to it at this point. The IAC felt that Belmont has made meaningful progress in this area. Additionally, the GIC rate increases would be higher, and there are lots of unanswered questions there. The GIC possibility will be revisited at a later time.

KENO to Go Discussion

Chairman Firenze explained that “Keno to Go” is being proposed by the state as a new lottery game in Belmont. Keno to Go is similar to Keno, except that the results are verified not on the premises, but at home on the Internet. (Keno was not adopted in Belmont.) Lottery agents in Belmont need to go before the Board to request Keno to Go. If they are denied, the Board has 21 days to explain to the Mass. State Lottery Commission (MSLC) why the request was denied. The Board expressed its concern that while Keno to Go would bring money into Belmont, it represents a “regressive tax” and therefore puts an undue burden on the people who can least afford it. The question was raised that an establishment offering “Keno to Go” could actually check the results on the premises with a laptop computer, thus approximating Keno.

Chairman Firenze suggested that Mr. Younger to go back to the Lottery Board and request more information (including the laptop on premises question). Chairman Firenze suggested that a lottery representative come in to speak to the Board.

ACTION BY CONSENT

Three Acton By Consent requests were taken up together:

Approval of Board of Selectmen Minutes – February 25, 2008 and March 3, 2008

Approval to Underwrite Cost of Fire and Police Protection for BHS Class of 2008 All Night Graduation Party

The 7th Annual Brendan's Home Run 5K Father's Day Charity Walk and Run

The Board moved: To approve the above three Action by Consent items.

The motion passed unanimously (3-0).

ACTION BY WRITING *(continued)*

Sign Annual Town Meeting Warrant

The Board moved: To sign the warrant for the April 28, 2008 annual Town Meeting as given to the Board of Selectmen this evening.

The motion passed unanimously (3-0).

ACTION BY APPOINTMENT *(continued)*

Cross Street and Channing Road Re-Configuration

Community Development Director Glenn Clancy appeared before the Board to discuss the re-configuration of Cross Street and Channing Road. The Pavement Management plan for this year includes this Cross Street reconstruction. The impetus was to improve pedestrian safety in this area. The Cross Street abutters and as well as nearby residences have been notified and are supportive of the plan. The Farmer's Market increases parking and pedestrian traffic in this area. The plan is to straighten out Cross Street and place a "Yield to Pedestrians" sign on the corner, while a "Stop" sign will be placed on Channing Road. This reconfiguration will slow down motorists enough and increase pedestrian safety. A "settled/flush" island will be placed in the center Cross Street. Mr. Clancy noted that the Traffic Advisory Committee has been part of the planning process.

From the audience, a resident who lives on Cross Street in the corner house, said he fully supports this proposal and appreciates its safety improvement measures. This plan allows for the necessary flow of traffic, but slows it down sufficiently for safety.

The Board moved: To approve the road re-configuration plan as presented by Mr. Clancy.

The motion passed unanimously (3-0).

Alcohol Beverage Licensing Committee – Discussion of License Expansion and Seating Reduction

Members of the Alcohol and Beverage Licensing Committee (Mr. Levin, Ms. Scali, Ms. Bunyon) appeared before the Board to discuss the possibility of expanding the number of restaurant beer/wine licenses as well as to review the seating requirements for all-alcohol. Chairman Firenze recused himself from the discussion citing a potential conflict of interest.

Mr. Levin began the discussion by stating that the Committee feels it has been good for the town to have these licenses. Currently Belmont offers 8 beer and wine licenses (8 are issued, 0 available) and 3 all-alcohol licenses (2 are issued, 1 is available) for restaurants. 130 seats are required for all-alcohol and 39-125 seats for beer/wine. Mr. Levin stated the Committee felt comfortable increasing the number of licenses, but didn't decide on a number. Regarding seat reduction, 3 out of 4 members felt comfortable with lowering the all-alcohol number from 130 to 99 seats. The beer/wine seating numbers were not addressed. This issue will be revisited in time for the October Town Meeting.

The VFW has requested a "Club license" which allows it the right to sell drinks to its own members and their guests when the members are in attendance. The VFW is looking for a means to generate additional revenue in light of the shortfall it is facing. The VFW would need to apply to the state for this license, and then it would need to go before Town Meeting. The Board agreed to have the VFW apply to the state, and then let the Town voice its opinion.

Government Structure Review

Selectman Solomon updated the Board on the efforts to appoint the two additional people to this committee (seven others have been appointed). He proposed two individuals: Becky Vose and Bob McLaughlin, both of whom have agreed to serve. Selectman Solomon stated that the impetus for creating this group was to address the concern of uncontested town elections. There are 12 open Town Meeting races, and he wants this group to address getting more people to run for town office positions. These 9 committee members represent a broad cross-section of the town, he continued, and Mr. Younger will serve as a consultant to the committee. Regarding the concern of having a member from the Harvard Kennedy School, Selectman Solomon stated that such a person could be added later.

The Board moved: To support the appointments as listed and support this committee moving forward.
The motion passed unanimously (3-0)

Budget Discussions

Chairman Firenze reviewed the budget situation to date: The budget is level service on the school side, and not level service on the town side. This budget, nevertheless, is balanced. There will be no operational override this year. Full day kindergarten (FDK) was conditioned on not using operating funds; METCO money (for aides) has been applied to FDK. School Committee Member Scott Stratford added that the FDK program will not rely on the use of operating funds, but will be funded from the METCO grant, family tuition, and state grants.

The Board agreed that \$50,000 was needed for the Comprehensive Planning Program and would support an OPEB funding reduction from \$150,000 to \$100,000 to free up \$50,000 to fund the Comprehensive Plan. The Board further agreed that if an additional \$50,000 were donated to the town, the \$50,000 taken from the OPEB fund would be replaced.

The Board moved: To recommend to the Warrant Committee that the OPEB funding be reduced from \$150,000 to \$100,000, and to put \$50,000 towards the Comprehensive Planning Program.
The motion passed unanimously (3-0).

Roads Override

The Board expressed their unanimous support for a roads override and discussed the merits of various dates to allow time to sufficiently educate

the voters. Mr. Younger will check with the Town Clerk's office regarding a June 9, 2008 override vote date. Selectman Solomon noted that this is the first of three issues to bring before the voters; a Wellington debt exclusion and an operating override next Spring need also serious consideration, as there will be no way to find money to fill the structural gap. These issues will require a strong and focused education campaign.

The Board moved: To support a roads stabilization fund override for June 9, 2008, subject to availability of Town Clerk and the Board of Registrars.

The motion passed unanimously (3-0).

SC Member Stratford reiterated Selectman Solomon's sentiment that the roads override is only the first of three ballot questions facing voters in next 12 months. He asked: Would each of you support all three of these ballot questions? Selectman Leclerc replied that yes, he supports the three initiatives in this sequential articulation. Chairman Firenze stated that certain issues need to be addressed and that he can't offer his full support blindly, without all of the information known.

Town Administrator's Report

Mr. Younger reported on the following items:

- Belmont received high honors for posting key records on its web site. It was one of only 24 communities to receive this distinction.
- Zoning violations: Regarding sandwich boards on public sidewalks, a warning will be given; fines will be issued if subsequent sandwich boards are noted.
- The Senior Center excavation has begun; there will be more activity in the weeks to come.
- The Community Preservation Act (CPA) Committee will present in June to the Board of Selectmen. They are expecting decreased State matching funds for CPA funding.

Mr. Conti added:

- Money will be saved by ceasing the Harvard Lawn Fire Station's insurance policy, as well as from a donation which resulted from a commercial being filmed on Horace Road.

OTHER

- Selectman Solomon noted that – in light of his retiring from the Board of Selectmen – he may need to be replaced on the Human

Rights Commission and the Health Advisory Board. He expressed his wish to remain on the Vision Implementation Committee – for a year at least.

- Chairman Firenze asked Mr. Younger to research the issue of what role the Board of Selectmen can have regarding the upcoming roads override.
- Mr. Younger noted that he has received email regarding the \$13,000 that was cut from the tree budget. The Board expressed that it appreciates the need to replace trees, and that residents can make a contribution to this fund on their tax bill.
- Mr. Younger will explore options relating to two town-owned properties on Mill Street.

The Board moved: To adjourn the meeting (10:27 PM).